

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

HELEN POLITZ

PLAINTIFF

V.

CIVIL ACTION NO. 1:08cv18-LTS-RHW

NATIONWIDE MUTUAL FIRE INSURANCE COMPANY,  
U.S. SMALL BUSINESS ADMINISTRATION, AND  
JOHN DOES 1 THROUGH 9

DEFENDANTS

**ORDER**

Among the motions filed by Plaintiff in anticipation of the pretrial conference in this cause of action is a [277] request for a stay of proceedings. The basis for this request is an interlocutory appeal pending before the Mississippi Supreme Court in a case involving United Services Automobile Association, which is scheduled for argument on June 9, 2009 (while this case is scheduled for trial on June 22). Defendant Nationwide Mutual Fire Insurance Company (Nationwide) has [295] responded timely.

Plaintiff offers nothing more than speculation to support her belief that the Mississippi Supreme Court “will issue an opinion within a very short time after the . . . oral arguments . . . .” On the other hand, Nationwide raises several valid points in opposition, including that this case has already been continued once due to difficulties in the discovery process attributable to the Plaintiff (or, more accurately, her counsel, *see* docket entry [166]) and the adverse impact that such a stay would have on this Court’s docket (a mediation round including many Nationwide cases is currently ongoing).

In addition, in the past this Court has declined to stay cases, especially those in which trial was imminent, because other cases were on appeal. The circumstances presented in the instant case outlined above weigh even more against a stay. The only result of such action would be further unnecessary delay.

Accordingly, **IT IS ORDERED:**

Plaintiff’s [277] Motion to Stay Proceeding is **DENIED**.

**SO ORDERED** this the 12<sup>th</sup> day of May, 2009 .

s/ L. T. Senter, Jr.  
L. T. SENTER, JR.  
SENIOR JUDGE